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6 7 8 9	Hao Ni (pro hac vice to be submitted) hni@nilawfirm.com NI, WANG & MASSAND, PLLC 8140 Walnut Hill Lane, Suite 500 Dallas, TX 75231 Telephone: (972) 331-4600 Facsimile: (972) 314-0900				
10	Attorneys for Plaintiff Bluestone Innovations LLC				
12	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION				
14	BLUESTONE INNOVATIONS LLC,				
15	Plaintiff,	Case No			
16	V.	ORIGINAL COMPLAINT			
17	USHIO AMERICA, INC.,				
18 19	Defendant.				
20	ORIGINAL COMPLAINT FOR	PATENT INFRINGEMENT			
21	This is an action for patent infringement in which Bluestone Innovations LLC ("Plaintiff")				
22	makes the following allegations against Ushio America, Inc. ("Defendant"):				
24	<u>PARTIES</u>				
25	Plaintiff is a Virginia limited liability company, having a principal place of business o				
26 27 28	1984 Isaac Newton Sq., Ste. 203, Reston, VA 20190				
	ORIGINAL COMPLAINT CASE NO				

2. Upon information and belief, Defendant is a corporation organized and existing under the laws of the State of California, with its principal place of business located at 5440 Cerritos Ave., Cypress, CA 90630. Defendant may be served via office or director at the address above.

JURISDICTION AND VENUE

- 3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).
- 4. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). Upon information and belief, Defendant has transacted business in this district, and has committed and/or induced acts of patent infringement in this district.
- 5. On information and belief, Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the California Long Arm Statute, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in California and in this Judicial District.

U.S. PATENT NO. 6,163,557

- 6. Plaintiff is the owner by assignment of United States Patent No. 6,163,557 (the "'557 Patent") entitled "Fabrication of group III-V nitrides on mesas." The '557 Patent issued on December 19, 2000. A true and correct copy of the '557 Patent is attached as Exhibit A.
- 7. Messrs. Clarence J. Dunnrowicz, David P. Bour and Ms. Linda T. Romano are listed as the inventors on the '557 Patent.
- 8. Upon information and belief, to the extent any marking was required by 35 U.S.C. § 287, predecessors in interest to the '557 Patent complied with such requirements.

ORIGINAL COMPLAIN	I
CASE NO.	

<u>COUNT I</u> <u>INFRINGEMENT OF U.S. PATENT NO. 6,163,557</u>

- 9. Upon information and belief, Defendant has been and is now infringing at least Claim 1 of the '557 Patent in the State of California, in this judicial district, and elsewhere in the United States, by, among other things, directly or through intermediaries, making, using, importing, providing, supplying, distributing, selling, and/or offering for sale LED Lightbulbs with epitaxial film (including, without limitation, at least the Ushio 1003905 PAR30 E26 120V 14.5W Light Bulb) which include; a substrate including at least one upstanding mesa, each mesa having a top surface; and a group III-V nitride epitaxial film on the top surface of at least one mesa; wherein the at least one mesa including surfaces oriented along crack planes of the epitaxial film, covered by one or more claims of the '557 Patent to the injury of Plaintiff. Defendant is directly infringing, literally infringement of the '557 Patent under the doctrine of equivalents. Defendant is thus liable for infringement of the '557 Patent pursuant to 35 U.S.C. § 271.
- 10. As a result of Defendant's infringement of the '557 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiff will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court.
- 11. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '557 Patent, Plaintiff will be greatly and irreparably harmed.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendant has infringed the '557 Patent;

ORIGINAL COMPLAINT CASE NO.

2.	A permanent injunction enjo	oining Defendant	and its officers, directors, agents servants		
affiliates, er	nployees, divisions, branches,	subsidiaries, pare	nts, and all others acting in active concer		
therewith fr	om infringement of the '557 P	atent, or such other	er equitable relief the Court determines i		
warranted;					
3.	A judgment and order require	ring Defendant pa	y to Plaintiff its damages, costs, expenses		
and prejudg	gment and post-judgment inte	rest for Defenda	nt's infringement of the '557 Patent a		
provided un	der 35 U.S.C. § 284, and an ac	counting of ongoi	ng post-judgment infringement; and		
4.	Any and all other relief, a	t law or equity, t	to which Plaintiff may show itself to b		
entitled.					
	<u>DEMAI</u>	ND FOR JURY T	<u> </u>		
Plair	ntiff, under Rule 38 of the Fede	eral Rules of Civil	Procedure, requests a trial by jury of an		
issues so tri	able by right.				
Dated: No	ovember 30, 2015.		LOWE & ASSOCIATES, P.C.		
		D.,,	/s/ Kris LeFan		
		Бу.	KRIS LEFAN		
			Attorney for Plaintiff BLUESTONE INNOVATIONS LLC		
	OR	IGINAL COMPLAIN	VT		
	CASE NO				